IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 15TH SEPTEMBER 2006 / 24TH BHADRA 1928

Bail Appl..No. 5319 of 2006

CRMP.7260/2006 of J.M.F.C.-III, PUNALUR
CRIME NO.64/2006 OF PATHANAPURAM EXCISE RANGE

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PETITIONER/ACCUSED.

PRAKASH, S/O.MOHANAN, AGED 33 YEARS,
RESIDING AT PRAKASH BHAVANAM,
ASHTAMANGALAM, PUNALUR MUNICIPALITY.

BY ADV. SRI.SIJU KAMALASANAN
SRI.S.SUDHEESHKAR

RESPONDENTS: STATE.

STATE OF KERALA, REPRESENTED BY THE
EXCISE INSPECTOR, PATHANAPURAM EXCISE RANGE
OFFICE, PATHANAPURAM THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5319/2006

DATED THIS THE 15TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioner was arrested on 5.8.2006, as he was found in illegal possession of 400 liters of wash, by the Inspector of Excise Range, Pathanapuram, who registered C.R.No.64/2006, for the offence punishable under Section 55(g) of the Abkari Act. The petitioner is in judicial custody from that day onwards. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and on going though the facts mentioned in the C.D file, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-III, Punalur.

(b). The petitioner shall report before the Investigating Officer, once in a week, on every Friday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 22.9.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs